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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3728 of 2007

Mr.Sayed Maqtum Patel .. Applicant
versus
State of Maharashtra .. Respondent

...

Mr. A.M. Saraogi for the applicant
Ms.Rajeshree M. Gadhavi for the State.

CORAM : D.G.KARNIK, J

DATED : 28th November 2007

P.C.:

1. Heard learned counsel for the applicant and learned APP for the State.

2. Charge-sheet has been filed against the accused in respect of crime registered under C.R.NO.320 of 2007 for offences punishable under section 363 and 376 of the IPC. The victim is a girl born in the year 1992 and was less than 15 years of age at the time of the alleged incident. Learned Sessions Judge to whom the bail application no.1490 of 2007 was made has rejected it interalia

holding that a strong prima facie case has been made out against the accused. Nothing has been pointed out to me to show that the said observations of the learned Sessions Judge is erroneous and it is necessary to take a different view of the matter.

3. Taking into consideration the fact that the victim was hardly of 14 years of age at the time of the incident and the existence of a strong prima facie case showing the complicity of the applicant, in my view, this is not a fit case to grant bail at this stage. In the circumstances, application for bail is rejected.

(D.G. KARNIK, J)